

Minutes of a Regular Meeting of the City Council.
Austin, Texas, Jan. 21, 1895.

Hon. John McDonald, mayor, presiding.

Roll call.

Presents Aldermen Anderson, Fischer, Glass, Glascow, Haynes, Hume, Jackson, Lawless, Nitschke, Platt, Powell, Redd, Robertson, Schneider, Shelley, Tobin, Townsend, Warrington - 18

Absent Aldermen Asmann, Goeth, Linn, Taylor - 4.

The minutes of the meetings of the city council, held on the 7th and 16th days of January, 1895, were, on motion of Alderman Schneider, adopted as recorded.

Petitions, Memorials, Etc.

S. D. Rushing, Secy. Austin Rapid Transit Railway Co. The mayor presented a petition from Mr. S. D. Rushing, secretary of the Austin Rapid Transit Railway Company, asking the council to pass a resolution by which only the regular police officers may ride free on the street cars.

The petition states that special policemen claim this privilege, hence the request. Referred to police committee.

Alderman Linn entered the council and answered to his name.

By Alderman Fischer. A proposition from the Austin City Cemetery association, through its president, Otto Bergstrom, to establish and maintain a cemetery adjacent to and north and east of the present city cemetery. The proposition carries with it an obligation to build culverts, grade streets and walks, and in other ways to do what may be necessary to maintain a cemetery in keeping with the present one; also to donate to the city, in which to bury the remains of paupers, a space 25-feet in width and more than 1000 feet in length, on the east of their addition. A petition signed by a number of citizens and endorsed by several benevolent societies, accompanied the proposition.

Alderman Taylor and Goeth entered the council and answered to their names.

Alderman Nitschke moved that the proposition of the City Cemetery association lay over to come up with an ordinance on the subject. Carried.

By Alderman Tobin. A resolution from the Board of Water and Light Commissioners, asking the council to make an appropriation of \$10,000 out of the general fund for the purpose of putting the water and light system into operation.

On motion, it was laid over to come up with an ordinance making the appropriation.

Reports of Committees.

Alderman Jackson, for the street committee, to whom was referred an ordinance appropriating \$600 for constructing a stone bridge over Little Shoal creek, at the intersection of Ninth and West Eleventh streets, made a report, recommending passage of the ordinance, as the present bridge is old and in bad condition. The report was adopted.

Water & Light Com.
Resolution to appropriate
\$10,000 from General Fund.

\$600. Bridge over
Little Shoal & W.E.
Report Com.

Culvert over
Little Shoal
Creek.

Alderman Jackson, for the street committee, to whom was referred an ordinance appropriating \$1649.50 for the purpose of building an arch culvert over Little Shoal creek at the intersection of Neches and West Fifth streets, made report, recommending passage of same. The report was adopted.

Kinney property
for street &c

Alderman Jackson, for the street committee, to whom was referred an ordinance appropriating \$1000 for the purpose of purchasing land to open West Fifth street, with instructions to confer with Mr Kinney, owner of the land, as to the amount he thinks he is damaged by the running of the electric wires through same, also to ascertain the probable cost of running wires around on another street, made a report which states that Mr Kinney thinks he is damaged to the amount of \$4 per month from last July, the time poles were put up, and asks that he be paid that amount per month from the above date until poles and wires are removed from his premises. We find as per attached estimate that it will cost \$419 to change the line to Durmoy and at West avenue to Fifth street and refer same back to your honorable body as per instructions, for action".

On motion of Alderman Linn, the report was adopted.
Alderman Schneider, for the police committee to whom was referred the marshal's report for the month of December, 1891, made report that same was examined and found to be correct. The report was adopted.

Marshals reports.

Alderman Schneider, for the police committee, to whom was referred an ordinance entitled "An ordinance amending article 327, chapter 1, title 13, of the Revised Civil Ordinances of the City of Austin" made a report which states that in view of the scarcity of funds and the incomplete condition of our water and light system which is a burden upon our people, and that the laws of our city are respected and observed to a remarkable degree, and peace and order prevail, we do not believe any necessity exists for burdening the people with the cost of an additional policeman, which seems to be the object of the proposed amendment. We therefore recommend that the ordinance do not pass."

A motion to adopt the report was lost by the following vote:

Yea- Aldermen Fischer, Gaeth, Nitzeck, Powell, Robertson, Schneider, Shelley, Taylor - 8.

Nays- Aldermen Anderson, Glass, Glascott, Haynes, Hume, Jackson, Lanless, Linn, Platt, Redd, Robin, Townsend, Warmoth - 10.

The report on motion of Alderman Linn, was laid over to come up with the ordinance named therein.

Alderman Platt called up the report of the city attorney which was presented to the city council December 17, 1891 in regard to the W. M. Platt and

Platt & Hughes
Inc'ts.

E. S. Hughes suits, and the report of the claims and accounts committee to whom the report was referred, and asked that they be read, which was done. He then moved that the recommendations of the city attorney be concurred in and that he be instructed to settle the judgments in accordance with his recommendations if he can do so. Adopted.

Alderman Roberdeau was excused from further attendance upon the session of the council.

Water & Light Com.

Report organization

To Hon. John McDonald: Your committee of water and light commissioners beg leave to report that they were duly organized on by electing Alderman W. H. Tobin president and that they then elected Mr. W. Maddox superintendent of the water and light system, and recommend that he be paid one hundred and fifty dollars per month.

Respectfully Submitted

W. H. Tobin, President.

Alderman Anderson moved that the report be adopted. Carried.

Unfinished Business.

Kinney property
Ordinance

An ordinance entitled "An ordinance to appropriate the sum of one thousand and fifty dollars (\$1050⁰⁰) for the purpose of purchasing a strip of land 60 feet wide from West 5th street, through the D. P. Kinney property to Shoal creek at the Dumont railroad bridge, to connect West 5th street with West 4th street" came up for final passage and failed to pass by the following vote:

Yea - Aldermen Fischer, Glass, Jackson, Powell, Redd, Schneider, Townsend - 7.

Nays - Aldermen Anderson, Glascock, Gaeth, Haynes, Hume, Lawless, Linn, Nitochke, Platt, Shelley, Taylor, Tobin, Warmoth - 13

An ordinance entitled "An ordinance appropriating the sum of \$1000.00 for the purpose of constructing a stone bridge over Little Shoal creek at the intersection of Kneess and West 11th street," came up on its second reading and was read. The rules were, on motion, suspended, and it was read a third time and passed by the following vote:

Yea - Aldermen Anderson, Fischer, Glass, Glascock, Gaeth, Jackson, Lawless, Linn, Nitochke, Platt, Powell, Redd, Schneider, Shelley, Taylor, Tobin, Townsend - 17.

Nays - Aldermen Hayes, Hume, and Warmoth - 0.

\$1649³⁵ Arch Culvert over Little Shoal Creek An ordinance entitled "An ordinance appropriating the sum of \$1649.35 for the purpose of building an arch culvert on West 5th street at the intersection of Kneess street over Little Shoal creek," was taken up on its second reading and read. A motion was then made to suspend the rules and place it on its third reading which was lost by the following vote:

Yea - Aldermen Anderson, Fischer, Glass, Glascock, Gaeth, Jackson, Nitochke, Powell, Redd, Schneider, Shelley, Townsend - 12

Nays - Aldermen Haynes, Hume, Lawless, Linn, Platt, Taylor, Tobin, Warmoth - 8.

Police Ordinance &c.

An ordinance entitled "An ordinance amending article 327, chapter 1, Title 13 of the Revised Civil Ordinances of the City of Austin" was taken up and read a second time. A motion to suspend the rules and place it on its third reading was lost by the following vote:

Yea - Aldermen Anderson, Glascock, Haynes, Hume, Jackson, Lawless, Linn, Nitschke, Platt, Redd, Townsend, Warmoth - 12.

Nays - Aldermen Fischer, Glass, Goeth, Powell, Schneider, Shelley, Taylor, Tobin - 8.

New Business.

Mayors Message read The mayor laid before the council his annual message, which was read. Alderman Anderson moved that the report and that also of Mr W. J. Oliphant, secretary of the Board of Public Works, be printed in The Statesman and that 5000 copies of these two reports and those of all the city officers, be printed in pamphlet form. Carried.

New Committees. The mayor then announced the following standing committees of the City Council for the year ending Nov 30 1895.

Water and Light Commissioners - W. H. Tobin, president; J. P. Schneider, Francis Fischer, P. J. Lawless, John McDonald.

Streets and Alleys - J. A. Jackson, A. W. Townsend, J. B. Nitschke.

Finance - H. A. Linn, Thos F. Taylor, A. C. Goeth.

Parks - L. H. Glascock, H. L. Haynes, R. C. Roberdeau.

Fire Department - R. C. Roberdeau, C. E. Anderson, G. P. Assmann.

Police Department - P. W. Powell, W. D. Shelley, H. L. Haynes.

Ordinances - Thos. F. Taylor, A. C. Goeth, W. D. Shelley.

Claims and accounts - W. D. Shelley, C. E. Anderson, R. Platt.

Public Printing - J. L. Hume, J. H. Warmoth, R. C. Roberdeau.

Markets - W. C. Redd, H. L. Haynes, G. P. Assmann.

Cemetery - R. Platt, H. L. Haynes, J. H. Warmoth.

Sanitation and Sewerage - W. A. Glass, R. Platt, H. L. Haynes.

Hospital - J. H. Warmoth, R. C. Roberdeau, A. W. Townsend.

Charity - W. A. Glass, A. C. Goeth, L. H. Glascock.

Purchases - C. E. Anderson, R. C. Roberdeau, W. D. Shelley.

Confirming sale of school land. By Alderman Haynes - An ordinance authorizing and confirming the sale by the city of Austin and its Board of School trustees, of 14.88 acres of land out of the Sophia Dean survey in Jefferson county, Texas.

It was read a first time, and a second and third time under suspension of the rules, and passed by the following vote:

Yea - Aldermen Anderson, Fischer, Glass, Glascock, Goeth, Haynes, Jackson, Lawless, Linn, Nitschke, Platt, Powell, Redd, Schneider, Shelley, Taylor, Tobin, Townsend, Warmoth - 19

Nay - Alderman Hume.

By Alderman Fischer - An ordinance entitled "An

Cemetery Ordinance ordinance to amend section 1 of an ordinance entitled "an & proposition Austin ordinance to regulate the burial of the dead bodies of human beings within the corporate limits of the City of Austin"; proposed Feb 8, 1895, and accepting the proposal of the Austin City Cemetery Association made to the city of Austin under date of January 21, 1895." It was read the first time.

Alderman Roberdeau entered the council and answered to his name.

Alderman Taylor moved to refer the above ordinance to the cemetery committee and the city attorney.

Alderman Fischer also introduced the following:

Austin, Jan 21. 1895:

To the Hon John McDonald, Mayor, and Board of Aldermen of the City of Austin:

Gentlemen- Your committee on Cemetery beg leave to report that they have carefully considered the accompanying proposal of the Austin City Cemetery association and respectfully recommend that the same be accepted.

R. Platt.

J. H. Warmoth.

Committee on Cemetery.

The question recurring on the motion of Alderman Taylor, to refer, the same was lost by the following vote:

Yea- Alderman Glass, Gaeth, Haynes, Hume, Schneider, Taylor, Tobin - 7.

Nay- Aldermen Anderson, Fischer, Glascock, Jackson, Lawless, Linn, Nitschke, Platt, Powell, Redd, Roberdeau, Shelley, Townsend, Warmoth - 14.

A motion was then made to suspend the rules and place the ordinance on its second reading, which prevailed by a vote of two thirds of the entire council, and the ordinance was accordingly read.

Alderman Schneider moved to amend the ordinance by requiring the association to set apart a portion of the ground mentioned for sale to colored citizens. Lost.

Alderman Linn offered the following amendment, to appear at the end of section two of the ordinance: Provided, That no one shall be buried in the cemetery herein provided for except by usual permit and by the city sexton, and provided further, That no charge greater than \$100 per lot shall ever be made for any lot in this addition to the city cemetery.

Alderman Gaeth moved to amend the amendment by striking out \$100.00 and inserting in lieu thereof \$50.00. Lost by the following vote:

Yea- Aldermen Gaeth, Haynes, Hume, Redd, Roberdeau, Schneider, Tobin, Townsend, Warmoth - 9

Nay- Aldermen Anderson, Fischer, Glass, Glascock, Jackson, Lawless, Linn, Nitschke, Platt, Powell, Shelley, Taylor - 12.

Alderman Schneider then moved to amend the amendment

by striking out "\$100.00" and inserting "\$75.00" instead.

Alderman Robin moved to lay the amendment offered by Alderman Schneider on the table. Lost.

Alderman Schneider's motion was then adopted by the following vote:

Yea- Aldermen Glass, Gaeth, Haynes, Hume, Jackson, Platt, Powell, Redd, Roberdeau, Schneider, Robin, Townsend, Warmoth-13.

Nays- Aldermen Anderson, Fischer, Glascock, Lawless, Linn, Nitschke, Shelley, Taylor - 8.

The amendment offered by Alderman Linn, as thus, amended, was adopted.

Alderman Taylor offered the following amendment to be added to section 2: "And said cemetery association is required to erect at their expense a substantial solid wall or fence not less than six feet high on the north and east of the proposed extension and to keep same in repair"

Alderman Schneider moved to lay the amendment on the table. Lost.

The amendment presented by Alderman Taylor was then lost.

A motion to further suspend the rules and place the ordinance on its third reading was adopted by the following vote:

Yea- Aldermen Anderson, Fischer, Glascock, Haynes, Jackson, Lawless, Linn, Nitschke, Platt, Powell, Redd, Roberdeau, Shelley, Townsend, Warmoth-15.

Nays- Aldermen Glass, Gaeth, Hume, Schneider, Robin - 5.

Alderman Taylor was excused from voting by a rising vote of 10 to 9.

The ordinance was accordingly read and then passed by the following vote:

Yea- Aldermen Anderson, Fischer, Glascock, Haynes, Jackson, Lawless, Linn, Nitschke, Platt, Powell, Redd, Roberdeau, Shelley, Townsend, Warmoth-15.

Nays- Aldermen Glass, Gaeth, Hume, Schneider, Robin - 5.

Excused- Alderman Taylor.

By Alderman Schneider- An ordinance providing for the protection of persons attending theaters and other public amusements in this city and fixing a penalty for the violation thereof. Read and referred to ordinance committee.

\$26 for Mr Kinney
for use land &c By Aldermen Linn- An ordinance appropriating the sum of twenty-eight dollars for the purpose of paying D. P. Kinney for rent of land used by the city in placing electric light poles on his property in the city of Austin.

It was read first time, after which Alderman Glass moved to refer it to the electrical contractor. Lost.

A motion to suspend the rules and place the ordinance on its second reading, was lost by the following vote:

Yea- Aldermen Anderson, Fischer, Goeth, Hume, Lawless, Linn, Nitschke, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Tobin - 14.

Nays- Aldermen Glass, Glascock, Haynes, Jackson, Platt, Townsend, Warmoth - 7.

\$41488.00 Salaries
officers & regular
employees.

By Alderman Linn An ordinance appropriating the sum of \$41488.00 for the purpose of paying salaries of officers and regular employees of the city of Austin from January 1st to November 30th 1895, inclusive.

It was read the first time and a second and third time under suspension of the rules and passed by the following vote:

Yea- Aldermen Anderson, Fischer, Glass, Glascock, Goeth, Haynes, Hume, Jackson, Lawless, Linn, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Tobin, Townsend, Warmoth - 21.

Alderman Schneider was excused from further attendance on the session of the council.

\$1000. Riter & Conley.

By Alderman Tobin An ordinance appropriating the sum of \$1000.00 for the purpose of paying pay rolls and other expenses of Riter & Conley, contractors for penstocks, etc.

It was read the first time and a second and third time under suspension of the rules and passed by the following vote:

Yea- Aldermen Anderson, Fischer, Glass, Glascock, Goeth, Haynes, Jackson, Lawless, Linn, Nitschke, Platt, Powell, Redd, Roberdeau, Shelley, Taylor, Tobin, Townsend, Warmoth - 20.

Alderman Schneider entered the council and answered to his name.

\$10000⁰⁰ W + L
System

By Alderman Tobin An ordinance appropriating the sum of \$10,000 for the purpose of putting the water and light system into operation.

It was read the first time, after which Alderman Nitschke moved to refer it to the finance committee. Lost.

It was then read a second and third time under suspension of the rules and passed by the following vote:

Yea- Aldermen Anderson, Fischer, Glass, Goeth, Haynes, Jackson, Lawless, Linn, Nitschke, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Tobin, Townsend, Warmoth - 18.

Nays- Aldermen Glascock, Hume, Platt - 3.

\$10⁰⁰ Protection Hose Co.

By Alderman Linn An ordinance appropriating the sum of \$10⁰⁰ for the purpose of reflooring two stalls in Protection Hose Company hall, No 3, and to provide for the proper drainage of same.

It was read first time, after which a motion by Alderman Glass to refer it to the fire committee prevailed.

The council then adjourned.

Milton Morris,
City Clerk.